

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 15-cr-20382

v.

HON. VICTORIA A. ROBERTS

D-1 PAUL NICOLETTI,

Defendant.

/

*STIPULATION ADJOURNING TRIAL AND FOR  
FINDING OF EXCLUDABLE DELAY PURSUANT TO 18 U.S.C. §3161*

The parties, through DANIEL L. LEMISCH, Acting U.S. Attorney, and Craig A. Weier, Assistant U.S. Attorney, for the United States, and MICHAEL J. HARRISON for D-1 PAUL NICOLETTI, hereby stipulate that the trial in this case previously scheduled for March 19, 2018 be reset for **July 17, 2018** at 8:30am, and to a new motion **cut-off date** of **February 20, 2018**;

The parties stipulate further that the delay from and including the last scheduled trial date, March 19, 2018, to July 17, 2018 is necessary to allow counsel adequate opportunity to fully prepare for trial, as well as consideration of additional pretrial motions and to explore possible pretrial resolution of this case, in light of the serious

medical condition of defense counsel which developed while defense counsel was out of state which will require a significant period (estimated to be approximately six weeks) of recuperation;

The parties further stipulate that the period of delay from and including March 19, 2018 to July 17, 2018 should be excluded from the time within which the above-noted case must be tried pursuant to the Speedy Trial Act because the reasons for the delay stated above outweigh the best interests of the public and the defendants in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iv) (as to continuity of counsel), and 3161(h)(1)(as to other proceedings involving the defendant).

Respectfully submitted,

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December 28, 2017

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No. 15-cr-20382

v.

HON. VICTORIA A. ROBERTS

D-1 PAUL NICOLETTI,

Defendant.

\_\_\_\_\_ /

*ORDER ADJOURNING TRIAL AND FOR  
FINDING OF EXCLUDABLE DELAY PURSUANT TO 18 U.S.C. §3161*

The Court, having reviewed and considered the stipulation of the parties, dated December 28, 2017, and it appearing that additional time is necessary to allow counsel to adequately prepare motions and for trial and continue discussions regarding resolutions, especially in light of his recent and unforeseen medical issues which will require approximately six weeks of recuperation;

IT IS ORDERED that the **trial** in this matter is rescheduled from **March 19, 2018 to July 17, 2018 at 8:30am**, and that the pretrial **motion cut-off date** is rescheduled to **February 20, 2018**;

IT IS FURTHER ORDERED that the period from and including March 19, 2018 to July 17, 2018 be excluded from the calculations of the

time period within which the defendant must be tried pursuant to the Speedy Trial Act because the Court finds, for the reasons set forth above, that the reasons for the delay outweigh the best interests of the public and the defendants in a speedy trial. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(ii), 3161(h)(7)(B)(iv)(as to continuity of counsel), and 3161(h)(1)(as to other proceedings involving the defendant).

SO ORDERED.

S/Victoria A. Roberts  
HONORABLE VICTORIA A. ROBERTS  
UNITED STATES DISTRICT JUDGE

Dated: January 5, 2018